

Appn. Number 10/712,281 (Ibara, et al) GAU 3632 Comments contd. 2 of 3

REMARKS

Applicants agree with the Examiner's statement that the Pannu reference alone does not teach a tensioning mechanism with an adjustment control. However, the present invention does not rely on said adjustment control, since, as pointed out in paragraph 1 of the Analysis section of the Board's decision, said adjustment control is recited in Independent Claims 1 and 21, but not in Independent Claims 11 and 23, which were allowed in accordance with the judges' complete reversal of the Examiner's rejections..

Applicants do not view the reference to Struckman as proper, since this was not among the references which the Examiner relied upon for the appeal. Furthermore, Struckman's hook arrangement is clearly distinct from applicants' tensioning mechanism in structure and function.

Applicants are unclear as to the precise meaning of the Examiner's statement: "The claims all cite, [sic] being able to turn pages while the tensioner is engaged, the tensioner allowing for the adjustment of the difference needed in tension to turn the pages." As stated above, the present invention does not rely on an adjustment control, the purpose of which feature is clearly shown in applicants' specification. The elegance of the present invention includes the ability to turn pages without any adjustment to the device during use—nor must there occur any adjustment to the tension itself "to turn the pages." Applicants are especially unclear as to the Examiner's reference to "adjustment of the difference" in the above statement.

Applicants refute the Examiner's statement that "many variable tensioning devices may operate in the same fashion" on the basis that the Board has determined the present invention to be patentable—i.e., both novel and unobvious, in accordance with § 102 and § 103 respectively. However, applicants can wholeheartedly agree with the Examiner's statement that, of all other variable tensioning devices, "none of them teach[es] the retaining of pages, yet while [sic] being able to turn pages."

Appn. Number 10/712,281 (Ibara, et al) GAU 3632 Comments contd. 3 of 3

Very respectfully,



Elisa Jansen for Ibara, *et al*, Applicants Pro Se

Elisa Jansen

1745 Creek Dr.

San José, CA 95125-1841

(408) 267-0805

Certificate of Facsimile Transmission. I certify that on the date below I will fax this paper to the Technology Center of the U.S. Patent and Trademark Office at (571) 273-2885.

June 5, 2009

